

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LANCE MAYNARD GARDNER,

Plaintiff,

v.

VICKI HENNESSY, et al.,

Defendants.


Case No. [19-cv-01681-EMC](#)

ORDER OF DISMISSAL

On August 1, 2019, the Court determined that the *pro se* prisoner's civil rights complaint in this action failed to state a claim against any defendant, granted plaintiff leave to file an amended complaint no later than September 13, 2019, and cautioned that the action would be dismissed if the amended complaint was not filed. Docket No. 9. Plaintiff did not file an amended complaint, and mail sent to him at the jail came back undelivered. The Court then resent the order of dismissal with leave to amend to a residential address Plaintiff had provided (as well as his jail address), and ordered him to file an amended complaint no later than December 20, 2019, warning that the action would be dismissed if he did not file an amended complaint by that deadline. Docket No. 11. Plaintiff did not file an amended complaint, and the deadline by which to do so has passed. For the foregoing reasons, and the reasons stated in the order of dismissal with leave to amend, this action is **DISMISSED** for failure to state a claim upon which relief may be granted. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: March 11, 2020


EDWARD M. CHEN
United States District Judge